

Offers to Testify After Leak

GI Calls Counterspies... 'Out of Control'

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KAISERSLAUTERN, W. Germany, Aug. 7 — A soldier who works in a military intelligence unit of the U.S. Army here admitted today that he had given the news media information on an Army spying against U.S. and German dissident soldiers and civilians.

He said he did it because "military intelligence in Germany is out of control and some one has got to stop it."

The soldier, Spec. 4 John M. McDougal of the 527th Military Intelligence Battalion here, appeared at a press conference here.

Also attending was his lawyer, Robert S. Rivkin, of the Lawyers' Military Defense Committee in Heidelberg, a group that represents military dissidents.

Rivkin is involved in the release of another U.S. Army document, detailing a counter-espionage program, which the lawyer described as "terrifying."

This document shows that the Army has asked intelligence operatives to note name, rank, unit and race of participants in demonstrations, teach-ins or other activities with anti-American themes.

This program of the 8th Infantry Division was given to the press last week by Spec. 4 Wayne Sparks of the Adjutant General's Office. Rivkin characterized the division's program as "completely illegal, laughable."

In the case of McDougal, lawyer Rivkin said the Army had scheduled a public hearing into allegations concerning information the soldier had given the news media.

But, said Rivkin, the Army cancelled the public hearing after receiving the list of witnesses requested to appear in McDougal's defense.

This included Maj. Gen. Harold Aaron, deputy chief of staff for intelligence at Heidelberg Army Headquarters, and Sen. Lowell P. Weicker (R-Conn.).

Once it became clear that the Army's military intelligence operation was going to be on trial, said Rivkin, "The Army decided to handle this in a more internal way." The Army now plans an informal investigation.

McDougal, 23, said he was not responsible for all the recent reports from Germany released to media of wiretapping and surveillance ordered on civilians by the Army, but he said he would be prepared to

tell an appropriate body, "such as a U.S. Senate investigating committee" all that he knew about such activities.

He said he did not complain through the chain of command of what he believes to be illegal intelligence activities because he feared repercussions, such as transfer to another post.

He said he believed the American people should be told of the "immoral and illegal activities which are being carried out in their name" by military intelligence operatives in West Germany.

McDougal, who explained that he is not an intelligence agent for the military, said he made his decision to speak out because he had seen a report of a wiretapped conversation between Howard De Nike, also of the Lawyers' Military Defense Committee, and Larry Johnson, a black soldier whom De Nike defended in a court martial. Lawyer-client conversations, McDougal implied, are supposed to be confidential.

McDougal said that the Army's wiretapping of civilian telephones was carried out by West Germans, as far as he knew. The Bonn government said last week it has legally monitored some telephones at the request of the U.S. Army.

McDougal said he would assume that every American news correspondent in Germany must reckon with that his telephone is tapped. "I've heard that the Pentagon receives news stories before the newspapers they're sent to," he said.

Asked if McDougal expected to face a court martial, Rivkin said the Army has not stated its plans. Even should the press conference prejudice his case, McDougal said, this facet

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of military intelligence needed to be exposed.

McDougal said that he was interrogated last week by Alphee Lemay, a liaison officer between the U.S. Army and the Germany community. He said Lemay called persons whose phones were tapped termites in the house of America . . . out to destroy the American way of living."

Lemay, said McDougal, called all journalists "anti-American."

McDougal said Lemay appealed to him not to shelter all these people out to subvert the people's army. "Such people as saying, "should be eliminated."

The soldier assured reporters he has no intention of revealing "everything I know," even to a Senate investigating committee. He said he believes that military intelligence could perform a legitimate function, but that it has been subverted in Germany.

The counter dissidents' program released to news media by Spec. 4 Sparks is dated as taking effect July 23.

The document lists as signs of dissidence "GI complaints to officers . . . news media, or congressmen about living conditions, harassment, unfair treatment, etc."

Sparks said the document "has done more to create dissidence than anything I've seen in 2½ years in the Army."

Sparks, 24, from Texas, made copies of the document available last week to Liberation News Service and to the Columbia Broadcasting Co.

Civilian lawyers and other observers contend that the program will be used to intimidate complainants by threatening military investigation even for minor acts.

The Military Code of Justice states that no member of the military shall interfere with the right of a military man to communicate with his Congressman.